

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 17, “Open Enrollment,” Iowa Administrative Code.

Iowa Code section 257.11(3)“a” states that supplementary weighted funds are available to a school district for the district’s “*resident* high school pupils [emphasis added]” who enroll in community college courses for concurrent credit. This amendment requires the resident district to send to the receiving district the supplementary weighting counted in October of the current year multiplied by the district cost per pupil of the current year. This result is as consistent as possible with other items that follow open enrolled pupils from their resident districts to their receiving districts, such as limited English proficient (LEP) weighting and the former Phase III funds, both of which were based on “generated” funding.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the October 6, 2010, Iowa Administrative Bulletin as **ARC 9143B**. Public comments were allowed until 4:30 p.m. on October 26, 2010. No written or oral comments were received. This amendment is identical to that published under Notice.

This amendment is intended to implement Iowa Code sections 257.11 and 282.18.

This amendment shall become effective January 19, 2011.

The following amendment is adopted.

Adopt the following new subrule 17.10(8):

**17.10(8)** A student under open enrollment is eligible to be counted for supplementary weighting pursuant to 281—subrule 97.2(5) for qualifying concurrent enrollment classes in which the student is enrolled, including concurrent enrollment classes provided via the ICN. An open enrolled student who is under competent private instruction (CPI) shall be weighted in the student’s receiving district, and no tuition shall be billed to the resident district. An open enrolled student who is not under CPI shall be weighted in the resident district, and the funding shall be sent to the receiving district in addition to open enrollment tuition.

*a.* If the open enrolled student is present in the resident district on October 1 of the school year, the resident district shall count the student, excluding a student under CPI, for supplementary weighting.

*b.* The concurrent enrollment course must qualify for supplementary weighting in the receiving district pursuant to 281—subrule 97.2(5).

*c.* The resident district shall forward the weighting generated for the concurrent enrollment for that student using the district cost per pupil of the school year. The amount generated is calculated as the supplementary weighting full-time-equivalency for that one student for each qualified concurrent enrollment course multiplied by the current school year’s district cost per pupil in the resident district.

*d.* The receiving district shall pay the community college the tuition negotiated for the course. The tuition negotiated may cost the receiving district a different amount than that received from the resident district. No additional amount may be charged to the resident district, the student, or the parent, guardian, or legal custodian.

*e.* If the student was not present in the resident district on October 1 of the school year and is a late transfer, the receiving district bears all the tuition cost and shall not bill the resident district in the first year pursuant to subrule 17.10(7).

[Filed 11/17/10, effective 1/19/11]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/15/10.